



General Assembly

January Session, 2001

Raised Bill No. 1219

LCO No. 3979

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT PROPOSING COMPREHENSIVE CAMPAIGN FINANCE REFORM FOR STATE-WIDE CONSTITUTIONAL OFFICES AND GENERAL ASSEMBLY OFFICES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) As used in sections 1 to 4, inclusive, and 6 to 24,
2 inclusive, of this act:

3 (1) "Commission" means the State Elections Enforcement
4 Commission.

5 (2) "Convention" means "convention", as defined in section 9-372 of
6 the general statutes.

7 (3) "Depository account" means the single checking account at the
8 depository institution designated as the depository for the candidate
9 committee's moneys in accordance with the provisions of subsection
10 (a) of section 9-333f of the general statutes.

11 (4) "Fund" means the Citizens' Election Fund established in section 2
12 of this act.

13 (5) "General election campaign" means (A) in the case of a candidate
14 nominated at a primary, the period beginning on the day following the
15 primary and ending on the date the campaign treasurer files the final
16 statement for such campaign pursuant to section 9-333j of the general
17 statutes, or (B) in the case of a candidate nominated without a primary,
18 the period beginning on the day following the day on which the
19 candidate is nominated and ending on the date the campaign treasurer
20 files the final statement for such campaign pursuant to said section 9-
21 333j.

22 (6) "Major party" means "major party", as defined in section 9-372 of
23 the general statutes.

24 (7) "Minor party" means "minor party", as defined in section 9-372 of
25 the general statutes.

26 (8) "Primary campaign" means the period beginning on the day
27 following the close of a convention and ending on the day of a primary
28 held for the purpose of nominating a candidate for an office.

29 (9) "Qualified candidate committee" means a candidate committee
30 (A) established to aid or promote the success of any candidate for
31 nomination or election to a state office, and (B) approved by the
32 commission to receive a grant from the Citizens' Election Fund under
33 section 14 of this act.

34 (10) "Eligible petitioning party candidate" means a candidate for
35 election to an office pursuant to part III C of chapter 153 of the general
36 statutes whose nominating petition has been approved by the
37 Secretary of the State pursuant to subsection (c) of section 9-453o of the
38 general statutes.

39 (11) "State office" means the office of Governor, Lieutenant
40 Governor, Attorney General, State Comptroller, State Treasurer or
41 Secretary of the State.

42 Sec. 2. (NEW) There is established, within the General Fund, a

43 separate, nonlapsing fund to be known as the "Citizens' Election
44 Fund". The fund may contain any moneys required by law to be
45 deposited in the fund. Investment earnings credited to the assets of the
46 fund shall become part of the assets of the fund. The State Treasurer
47 shall administer the fund. All moneys deposited in the fund shall be
48 used for the purposes of sections 1 to 4, inclusive, and 6 to 24,
49 inclusive, of this act. The State Elections Enforcement Commission may
50 deduct and retain from the moneys in the fund an amount equal to the
51 costs incurred by the commission in administering the provisions of
52 sections 1, 3, 4 and 6 to 24, inclusive, of this act provided said amount
53 shall not exceed two per cent of the moneys deposited in the fund in
54 any fiscal year. Any portion of said two per cent allocation which
55 exceeds said costs incurred by the commission in any fiscal year shall
56 continue to be available for any said costs incurred by the commission
57 in subsequent fiscal years.

58 Sec. 3. (NEW) (a) (1) Any taxpayer filing a return under chapter 229
59 of the general statutes for taxable years commencing on or after
60 January 1, 2001, may contribute all or part of a refund under said
61 chapter 229 to the Citizens' Election Fund established in section 2 of
62 this act, by indicating on the tax return the amount to be contributed to
63 the fund.

64 (2) Any taxpayer filing a return under chapter 229 of the general
65 statutes for taxable years commencing on or after January 1, 2001,
66 whose income tax liability for the taxable year, before applying any
67 credit under section 12-704c of the general statutes, is five dollars or
68 more, may designate that five dollars of such tax liability shall be paid
69 over to the fund by so indicating on the tax return. In the case of a
70 husband and wife filing a joint return with an income tax liability of
71 ten dollars or more, each spouse may designate that five dollars of
72 such tax liability shall be paid over to the fund by so indicating on the
73 tax return. Any designation made pursuant to this subdivision shall
74 not increase the taxpayer's income tax liability.

75 (3) Any taxpayer filing a return under chapter 229 of the general
76 statutes may contribute an additional amount to the Citizens' Election
77 Fund established in section 2 of this act, by indicating on the tax return
78 the amount to be contributed to the fund. Any contribution made
79 pursuant to this subdivision shall be in addition to the amount of tax
80 reported to be due on such return and shall be paid at the same time as
81 the tax due on such return is paid and in the manner prescribed by the
82 Commissioner of Revenue Services.

83 (b) A contribution or designation made pursuant to this section shall
84 be irrevocable upon the filing of the return. A taxpayer making a
85 contribution or designation pursuant to this subsection shall so
86 indicate on the tax return in a manner provided for by the
87 Commissioner of Revenue Services pursuant to subsection (c) of this
88 section.

89 (c) The Commissioner of Revenue Services shall revise the income
90 tax return form to implement the provisions of subsection (a) of this
91 section. Such form shall include (1) a space on the return in which
92 taxpayers may indicate their intention to make a contribution or
93 designation in accordance with this section, and (2) instructions for
94 payment of any contribution under subdivision (3) of subsection (a) of
95 this section. The commissioner shall include in the instructions
96 accompanying the tax return a description of the purposes for which
97 the Citizens' Election Fund was established.

98 (d) A contribution of all or part of a refund shall be made in the full
99 amount indicated if the refund found due the taxpayer upon the initial
100 processing of the return, and after any deductions required by chapter
101 229 of the general statutes, is greater than or equal to the indicated
102 contribution. If the refund due, as determined upon initial processing,
103 and after any deductions required by said chapter 229, is less than the
104 indicated contribution, the contribution shall be made in the full
105 amount of the refund. The Commissioner of Revenue Services shall
106 subtract the amount of any contribution of all or part of a refund from

107 the amount of the refund initially found due the taxpayer and shall
108 certify (1) the amount of the refund initially found due the taxpayer,
109 (2) the amount of any such contribution, and (3) the amount of the
110 difference to the Secretary of the Office of Policy and Management and
111 the State Treasurer for payment to the taxpayer in accordance with
112 said chapter 229. For the purposes of any subsequent determination of
113 the taxpayer's net tax payment, such contribution shall be considered a
114 part of the refund paid to the taxpayer.

115 (e) The Commissioner of Revenue Services, after notification of and
116 approval by the Secretary of the Office of Policy and Management,
117 may deduct and retain from the moneys collected under subsections
118 (a) to (d), inclusive, of this section an amount equal to the costs of
119 administering this section, but not to exceed four per cent of such
120 moneys collected in any fiscal year. The Commissioner of Revenue
121 Services shall deposit the remaining moneys collected in the Citizens'
122 Election Fund.

123 Sec. 4. (NEW) (a) (1) Any taxpayer filing a return under chapter 208
124 of the general statutes for taxable years commencing on or after
125 January 1, 2001, may contribute all or part of a refund under said
126 chapter 208 to the Citizens' Election Fund established in section 2 of
127 this act, by indicating on the tax return the amount to be contributed to
128 the fund.

129 (2) Any taxpayer filing a return under chapter 208 of the general
130 statutes for taxable years commencing on or after January 1, 2001,
131 whose income tax liability for the taxable year, before applying any
132 credits under chapter 208 of the general statutes, is five dollars or
133 more, may designate that two hundred dollars of such tax liability or,
134 if such tax liability is less than two hundred dollars, the full amount of
135 such tax liability, shall be paid over to the Citizens' Election Fund
136 established in section 2 of this act, by so indicating on the tax return.
137 Any designation made pursuant to this subdivision shall not increase
138 the taxpayer's income tax liability.

139 (3) Any taxpayer filing a return under chapter 208 of the general
140 statutes may contribute an additional amount to the Citizens' Election
141 Fund established in section 2 of this act, by indicating on the tax return
142 the amount to be contributed to the fund. Any contribution made
143 pursuant to this subdivision shall be in addition to the amount of tax
144 reported to be due on such return and shall be paid at the same time as
145 the tax due on such return is paid and in the manner prescribed by the
146 Commissioner of Revenue Services.

147 (b) A contribution or designation made pursuant to this section shall
148 be irrevocable upon the filing of the return. A taxpayer making a
149 contribution or designation pursuant to this subsection shall so
150 indicate on the tax return in a manner provided for by the
151 Commissioner of Revenue Services pursuant to subsection (c) of this
152 section.

153 (c) The Commissioner of Revenue Services shall revise the income
154 tax return form to implement the provisions of subsection (a) of this
155 section. Such form shall include (1) a space on the return in which
156 taxpayers may indicate their intention to make a contribution or
157 designation in accordance with this section, and (2) instructions for
158 payment of any contribution under subdivision (3) of subsection (a) of
159 this section. The commissioner shall include in the instructions
160 accompanying the tax return a description of the purposes for which
161 the Citizens' Election Fund was established.

162 (d) A contribution of all or part of a refund shall be made in the full
163 amount indicated if the refund found due the taxpayer upon the initial
164 processing of the return, and after any deductions required by chapter
165 208 of the general statutes, is greater than or equal to the indicated
166 contribution. If the refund due, as determined upon initial processing
167 and after any deductions required by said chapter 208, is less than the
168 indicated contribution, the contribution shall be made in the full
169 amount of the refund. The Commissioner of Revenue Services shall
170 subtract the amount of any contribution of all or part of a refund from

171 the amount of the refund initially found due the taxpayer and shall
172 certify (1) the amount of the refund initially due the taxpayer, (2) the
173 amount of any such contribution, and (3) the amount of the difference
174 to the Secretary of the Office of Policy and Management and the State
175 Treasurer for payment to the taxpayer in accordance with said chapter
176 208. For the purposes of any subsequent determination of the
177 taxpayer's net tax payment, such contribution shall be considered a
178 part of the refund paid to the taxpayer.

179 (e) The Commissioner of Revenue Services, after notification of and
180 approval by the Secretary of the Office of Policy and Management,
181 may deduct and retain from the moneys collected under subsections
182 (a) to (d), inclusive, of this section an amount equal to the costs of
183 administering this section, but not to exceed four per cent of such
184 moneys collected in any fiscal year. The Commissioner of Revenue
185 Services shall deposit the remaining moneys collected in the Citizens'
186 Election Fund.

187 Sec. 5. Subsection (e) of section 9-333j of the general statutes is
188 repealed and the following is substituted in lieu thereof:

189 (e) (1) Notwithstanding any provisions of this chapter to the
190 contrary, in the event of a surplus the campaign treasurer of a
191 candidate committee or of a political committee, other than a political
192 committee formed for ongoing political activities or an exploratory
193 committee shall distribute or expend such surplus [within] not later
194 than ninety days after a primary which results in the defeat of the
195 candidate, an election or referendum, in the following manner:

196 (A) Such committees may distribute their surplus to a party
197 committee, or a political committee organized for ongoing political
198 activities, return such surplus to all contributors to the committee on a
199 prorated basis of contribution, distribute such surplus to the Citizens'
200 Election Fund established in section 2 of this act or distribute such
201 surplus to any charitable organization which is a tax-exempt
202 organization under Section 501(c)(3) of the Internal Revenue Code of

203 1986, or any subsequent corresponding internal revenue code of the
204 United States, as from time to time amended, provided (i) no candidate
205 committee may distribute such surplus to a committee which has been
206 established to finance future political campaigns of the candidate, and
207 (ii) a candidate committee which received moneys from the Citizens'
208 Election Fund shall distribute such surplus to such fund;

209 (B) Each such political committee established by an organization
210 which received its funds from the organization's treasury shall return
211 its surplus to its sponsoring organization;

212 (C) (i) Each political committee formed solely to aid or promote the
213 success or defeat of any referendum question, which does not receive
214 contributions from a business entity or an organization, shall distribute
215 its surplus to a party committee, to a political committee organized for
216 ongoing political activities, to a national committee of a political party,
217 to all contributors to the committee on a prorated basis of contribution,
218 to state or municipal governments or agencies or to any organization
219 which is a tax-exempt organization under Section 501(c)(3) of the
220 Internal Revenue Code of 1986, or any subsequent corresponding
221 internal revenue code of the United States, as from time to time
222 amended. [(ii) each] (ii) Each political committee formed solely to aid
223 or promote the success or defeat of any referendum question, which
224 receives contributions from a business entity or an organization, shall
225 distribute its surplus to all contributors to the committee on a prorated
226 basis of contribution, to state or municipal governments or agencies, or
227 to any organization which is tax-exempt under said provisions of the
228 Internal Revenue Code;

229 (D) The campaign treasurer of the candidate committee of a
230 candidate who is elected to office may, upon the authorization of such
231 candidate, expend surplus campaign funds to pay for the cost of
232 clerical, secretarial or other office expenses necessarily incurred by
233 such candidate in preparation for taking office; except such surplus
234 shall not be distributed for the personal benefit of any individual or to

235 any organization; and

236 (E) The campaign treasurer of a candidate committee, or of a
237 political committee, other than a political committee formed for
238 ongoing political activities or an exploratory committee, shall, prior to
239 the dissolution of such committee, either (i) distribute any equipment
240 purchased, including, but not limited to, computer equipment, to any
241 recipient as set forth in subparagraph (A) of this subdivision, or (ii) sell
242 any equipment purchased, including, but not limited to, computer
243 equipment, to any person for fair market value and then distribute the
244 proceeds of such sale to any recipient as set forth in said subparagraph
245 (A).

246 (2) Notwithstanding any provisions of this chapter to the contrary,
247 the campaign treasurer of the candidate committee of a candidate who
248 has withdrawn from a primary or election may, prior to the primary or
249 election, distribute its surplus to any organization which is tax-exempt
250 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any
251 subsequent corresponding internal revenue code of the United States,
252 as from time to time amended, or return such surplus to all
253 contributors to the committee on a prorated basis of contribution.

254 (3) [Within] Not later than seven days after such distribution or
255 [within] not later than seven days after all funds have been expended
256 in accordance with subparagraph (D) of subdivision (1) of this
257 subsection, the campaign treasurer shall file a supplemental statement,
258 sworn under penalty of false statement, with the proper authority,
259 identifying all further contributions received since the previous
260 statement and explaining how any surplus has been distributed or
261 expended in accordance with this section. No surplus may be
262 distributed or expended until after the election, primary or
263 referendum.

264 (4) In the event of a deficit the campaign treasurer shall file a
265 supplemental statement ninety days after the election, primary or
266 referendum with the proper authority and, thereafter, on the seventh

267 day of each month following if on the last day of the previous month
268 there was an increase or decrease in the deficit in excess of five
269 hundred dollars from that reported on the last statement filed. The
270 campaign treasurer shall file such supplemental statements as required
271 until the deficit is eliminated. If any such committee does not have a
272 surplus or a deficit, the statement required to be filed [within] not later
273 than forty-five days following any election or referendum or [within]
274 not later than thirty days following any primary shall be the last
275 required statement.

276 Sec. 6. (NEW) All payments of civil penalties or late fees imposed by
277 the State Elections Enforcement Commission or the Secretary of the
278 State under title 9 of the general statutes, which are received after the
279 effective date of this section, shall be immediately transmitted to the
280 State Treasurer for deposit in the Citizens' Election Fund established in
281 section 2 of this act.

282 Sec. 7. (NEW) Any person, business entity, organization, party
283 committee or political committee, as defined in section 9-333a of the
284 general statutes, may contribute to the Citizens' Election Fund. Any
285 such contribution shall be made by check or money order. The
286 commission shall immediately transmit all contributions received
287 pursuant to this section to the State Treasurer for deposit in the
288 Citizens' Election Fund.

289 Sec. 8. (NEW) (a) There is established a program of voluntary
290 campaign expenditure limits for major party, minor party and eligible
291 petitioning party candidates for election to the office of state
292 representative or state senator in 2006, and thereafter. Any such
293 candidate who agrees to limit the amount of expenditures made or
294 incurred by the candidate committee for such candidate for the general
295 election campaign for said election shall be eligible to receive moneys
296 from the Citizens' Election Fund, if a candidate for election to the same
297 office in said year does not agree to said limit and exceeds the limit.

298 (b) The voluntary general election campaign expenditure limits for

299 the election held in 2006, shall be:

300 (1) For a candidate for election to the office of state representative,
301 fifty thousand dollars; and

302 (2) For a candidate for election to the office of state senator, one
303 hundred thirty thousand dollars.

304 (c) The voluntary general election campaign expenditure limits for
305 elections held after 2006, shall be the limits under subsection (b) of this
306 section, adjusted for inflation. On January 15, 2008, and biennially
307 thereafter, the commission shall adjust said expenditure limits in
308 accordance with any change during the preceding two calendar years
309 in the Consumer Price Index for all urban consumers as published by
310 the United States Department of Labor, Bureau of Labor Statistics.

311 Sec. 9. (NEW) (a) Each candidate for election to the office of state
312 representative or state senator in 2006, or thereafter, shall file an
313 affidavit with the State Elections Enforcement Commission at the same
314 time that the candidate files either a committee statement under
315 subsection (a) of section 9-333f of the general statutes or a certification
316 under subsection (b) of said section 9-333f. The affidavit shall include a
317 written certification that the candidate either intends to abide by the
318 applicable expenditure limit under subsection (b) or (c) of section 8 of
319 this act or does not intend to abide by said limit. If the candidate does
320 intend to abide by said limit, the affidavit shall also include written
321 certifications that (1) the campaign treasurer of the candidate
322 committee for said candidate shall expend any moneys received from
323 the fund in accordance with the provisions of subsection (g) of section
324 9-333i of the general statutes, and (2) the candidate shall repay to the
325 fund any such moneys which are not expended in accordance with
326 subsection (g) of said section 9-333i. A candidate who so certifies the
327 candidate's intent to abide by said limit shall be referred to in this
328 section as a "participating candidate" and a candidate who so certifies
329 the candidate's intent to not abide by said limit shall be referred to in
330 this section as a "nonparticipating candidate". The commission shall

331 prepare a list of the participating candidates and a list of the
332 nonparticipating candidates and shall make such lists available for
333 public inspection.

334 (b) The campaign treasurer of the candidate committee for each
335 candidate for the office of state representative or state senator shall file
336 campaign finance statements with the office of the Secretary of the
337 State (1) according to the same schedule as required of a campaign
338 treasurer of a candidate committee under section 9-333j of the general
339 statutes until receiving contributions and receipts totaling seventy-five
340 per cent of the applicable expenditure limit in subsection (b) or (c) of
341 section 8 of this act, and (2) then, notwithstanding said schedule in said
342 section 9-333j, on the second Thursday of each month between the
343 beginning of the fourth month preceding the day of the election for
344 said office and the beginning of the sixth week preceding the election
345 and then on each Thursday until the day of the election. Said
346 statements shall be prepared in the same manner as statements
347 required under section 9-333j of the general statutes.

348 (c) (1) The commission shall review all statements filed by campaign
349 treasurers under subsection (b) of this section and all statements filed
350 by said campaign treasurers under section 9-333j of the general
351 statutes. If the commission determines that (A) the candidate
352 committee for a nonparticipating candidate has made or incurred
353 campaign expenditures for the general election campaign that exceed
354 the applicable expenditure limit under subsection (b) or (c) of section 8
355 of this act, and (B) the candidate committee for one or more
356 participating candidates for the same office has not made or incurred
357 such excess campaign expenditures and has received contributions
358 and receipts totaling twenty-five per cent of the applicable expenditure
359 limit in subsection (b) or (c) of section 8 of this act, the commission
360 shall notify the State Comptroller that the candidate committee for
361 each said participating candidate shall be entitled to payment in an
362 amount equaling the amount of the nonparticipating candidate's
363 excess expenditures. Not later than two business days following

364 notification by the commission, the State Comptroller shall draw an
365 order on the State Treasurer for payment of said amount to each said
366 participating candidate.

367 (2) If the commission subsequently determines that said
368 nonparticipating candidate has made additional campaign
369 expenditures for the general election campaign that exceed said limit
370 and the candidate committee for one or more participating candidates
371 for the same office has not made or incurred any excess campaign
372 expenditures, the commission shall notify the State Comptroller that
373 the candidate committee for each said participating candidate shall be
374 entitled to payment in an amount equaling the amount of the
375 nonparticipating candidate's additional excess expenditures. Not later
376 than two business days following notification by the commission, the
377 State Comptroller shall draw an order on the State Treasurer for
378 payment of said amount to each said participating candidate.

379 (d) The following shall not be subject to the expenditure limits
380 under this section: In-kind contributions from party committees for
381 coordinated campaign expenditures, including, but not limited to,
382 phone banks and voter lists, which are made available to all party-
383 endorsed candidates whose names appear on a ballot.

384 (e) Upon the receipt of a report under subsection (e) of section 9-
385 333n of the general statutes, as amended by this act, that an
386 independent expenditure has been made or obligated to be made, with
387 the intent to promote the defeat of a participating candidate who has
388 received contributions and receipts totaling twenty-five per cent of the
389 applicable expenditure limit in subsection (b) or (c) of section 8 of this
390 act, the commission shall immediately notify the State Comptroller
391 that additional money, equal to the amount of the independent
392 expenditure, shall be paid to the candidate committee for said
393 participating candidate. Not later than two business days following
394 notification by the commission, the State Comptroller shall draw an
395 order on the State Treasurer for payment of such amount to said

396 candidate committee from the fund.

397 Sec. 10. (NEW) (a) There is established a Citizens' Election Program
398 under which (1) the candidate committee of a major party or minor
399 party candidate for nomination to a state office in 2006, or thereafter,
400 may receive a grant from the Citizens' Election Fund for the
401 candidate's primary campaign for said nomination, and (2) the
402 candidate committee of a major party, minor party or eligible
403 petitioning party candidate for election to a state office in 2006, or
404 thereafter, may receive a grant from the fund for the candidate's
405 general election campaign for said office. Any such candidate is
406 eligible to receive such grants if (A) the candidate's candidate
407 committee receives the required amount of qualifying contributions set
408 forth in section 11 of this act, (B) the candidate agrees to the primary
409 campaign and general election campaign expenditure limits set forth
410 in section 12 of this act, and (C) the candidate complies with the
411 requirements of section 14 of this act.

412 (b) Each major party and minor party candidate for nomination or
413 election to a state office in 2006, or thereafter, and each petitioning
414 candidate for election to a state office in 2006, or thereafter, shall file an
415 affidavit with the State Elections Enforcement Commission, at the
416 same time that the candidate files either a committee statement under
417 subsection (a) of section 9-333f of the general statutes or a certification
418 under subsection (b) of said section 9-333f. The affidavit shall include a
419 written certification that the candidate either intends to abide by the
420 applicable expenditure limits for a primary campaign and a general
421 election campaign under the Citizens' Election Program, as set forth in
422 section 12 of this act, or does not intend to abide by said limits. A
423 candidate who so certifies the candidate's intent to abide by said limit
424 shall be referred to in sections 10 to 24, inclusive, of this act as a
425 "participating candidate" and a candidate who so certifies the
426 candidate's intent to not abide by said limit shall be referred to in said
427 sections as a "nonparticipating candidate". The commission shall
428 prepare a list of the participating candidates and a list of the

429 nonparticipating candidates and shall make such lists available for
430 public inspection.

431 Sec. 11. (NEW) (a) The amount of qualifying contributions which
432 the candidate committee of a candidate needs to receive in order to be
433 eligible for grants from the Citizens' Election Fund shall be:

434 (1) In the case of a candidate for nomination or election to the office
435 of Governor, contributions from individuals in the aggregate amount
436 of five hundred thousand dollars, of which four hundred fifty
437 thousand dollars or more is contributed by individuals residing in the
438 state, provided (A) no such contribution that exceeds five hundred
439 dollars shall be considered in calculating such amounts, and (B) all
440 contributions received by an exploratory committee that meets such
441 criteria shall be considered in calculating such amounts; and

442 (2) In the case of a candidate for nomination or election to the office
443 of Lieutenant Governor, Attorney General, State Comptroller, State
444 Treasurer or Secretary of the State, contributions from individuals in
445 the aggregate amount of seventy-five thousand dollars, of which sixty-
446 seven thousand five hundred dollars or more is contributed by
447 individuals residing in the state, provided (A) no such contribution
448 that exceeds two hundred fifty dollars shall be considered in
449 calculating such amounts, and (B) all contributions received by an
450 exploratory committee that meets such criteria shall be considered in
451 calculating such amounts.

452 (b) Each individual who makes a contribution to a candidate
453 committee established to aid or promote the success of a participating
454 candidate for nomination or election to a state office shall include the
455 individual's name and address with the contribution. A contribution
456 from an individual that does not include such information shall not be
457 deemed to be a qualifying contribution under subsection (a) of this
458 section.

459 Sec. 12. (NEW) (a) The following are the expenditure limits under

460 the Citizens' Election Program for a primary campaign for qualifying
461 candidates for nomination to the office of Governor in 2006, and
462 thereafter, subject to adjustment under subsection (e) of this section:

463 (1) For a candidate who receives the endorsement of the candidate's
464 party at the state convention, one million five hundred thousand
465 dollars;

466 (2) For a nonendorsed candidate who receives fifteen per cent of the
467 votes of the convention delegates of the candidate's party who are
468 present and voting on any roll-call vote taken on the endorsement or
469 proposed endorsement of a candidate for said office at a convention
470 where the party endorses a candidate for said office, five hundred
471 thousand dollars;

472 (3) For a nonendorsed candidate who receives more than fifteen per
473 cent of the votes of the convention delegates of the candidate's party
474 who are present and voting on any roll-call vote taken on the
475 endorsement or proposed endorsement of a candidate for said office at
476 a convention where the party endorses a candidate for said office, the
477 sum of five hundred thousand dollars and twenty-eight thousand five
478 hundred dollars for each per cent of the vote of said convention
479 delegates that the candidate receives on said roll call in excess of
480 fifteen per cent; and

481 (4) For a nonendorsed candidate who receives fifteen per cent or
482 more of the votes of the convention delegates of the candidate's party
483 who are present and voting on any roll-call vote taken on the
484 endorsement or proposed endorsement of a candidate for said office at
485 a convention where the party does not endorse a candidate for said
486 office, five hundred thousand dollars.

487 (b) The expenditure limit under the Citizens' Election Program in
488 2006, and thereafter, for a general election campaign for qualifying
489 candidates for election to the office of Governor and Lieutenant
490 Governor who are nominated by the same party shall be a total

491 combined amount of six million dollars, subject to adjustment under
492 subsection (e) of this section.

493 (c) The following are the expenditure limits under the Citizens'
494 Election Program for a primary campaign for qualifying candidates for
495 nomination to the office of Lieutenant Governor, Attorney General,
496 State Comptroller, Secretary of the State or State Treasurer in 2006, and
497 thereafter, subject to adjustment under subsection (e) of this section:

498 (1) For a candidate who receives the endorsement of the candidate's
499 party at the state convention, five hundred thousand dollars;

500 (2) For a nonendorsed candidate who receives fifteen per cent of the
501 votes of the convention delegates of the candidate's party who are
502 present and voting on any roll-call vote taken on the endorsement or
503 proposed endorsement of a candidate for said office at a convention
504 where the party endorses a candidate for said office, one hundred fifty
505 thousand dollars;

506 (3) For a nonendorsed candidate who receives more than fifteen per
507 cent of the votes of the convention delegates of the candidate's party
508 who are present and voting on any roll-call vote taken on the
509 endorsement or proposed endorsement of a candidate for said office at
510 a convention where the party endorses a candidate for said office, the
511 sum of one hundred fifty thousand dollars and ten thousand dollars
512 for each per cent of the vote of said convention delegates that the
513 candidate receives on said roll call in excess of fifteen per cent; and

514 (4) For a nonendorsed candidate who receives fifteen per cent or
515 more of the votes of the convention delegates of the candidate's party
516 who are present and voting on any roll-call vote taken on the
517 endorsement or proposed endorsement of a candidate for said office at
518 a convention where the party does not endorse a candidate for said
519 office, one hundred fifty thousand dollars.

520 (d) The expenditure limit under the Citizens' Election Program for a

521 general election campaign for qualifying candidates for election to the
522 office of Attorney General, State Comptroller, Secretary of the State or
523 State Treasurer in 2006, and thereafter, shall be seven hundred fifty
524 thousand dollars, subject to adjustment under subsection (e) of this
525 section.

526 (e) On January 15, 2006, and quadrennially thereafter, the
527 commission shall adjust the expenditure limits in subsections (a) to (d),
528 inclusive, of this section in accordance with any change during the
529 preceding four calendar years in the Consumer Price Index for all
530 urban consumers as published by the United States Department of
531 Labor, Bureau of Labor Statistics.

532 (f) The following shall not be subject to the expenditure limits under
533 this section: In-kind contributions from party committees for
534 coordinated campaign expenditures, including, but not limited to,
535 phone banks and voter lists, which are made available to all party-
536 endorsed candidates whose names appear on a ballot.

537 Sec. 13. (NEW) (a) A candidate for state office who receives the
538 qualifying amount of contributions under section 11 of this act shall be
539 eligible to receive grants under the Citizens' Election Program for a
540 primary campaign and a general election campaign in the amount of
541 the applicable expenditure limits for such campaigns for said office set
542 forth in section 12 of this act. The amount of any said grant to a
543 candidate for a campaign shall be reduced by the amount of
544 expenditures that the candidate has made or incurred before the
545 candidate submits the application for said grant, except for
546 expenditures for research that has been conducted or office equipment
547 or furnishings.

548 (b) No grant under the Citizens' Election Program may be applied to
549 a deficit incurred by a candidate committee.

550 (c) The campaign treasurer of a candidate committee for a candidate
551 for state office who receives a grant under the Citizens' Election

552 Program shall distribute all unspent candidate committee funds from
553 other sources to the Citizens' Election Fund.

554 Sec. 14. (NEW) (a) A candidate for nomination or election to a state
555 office in 2006, or thereafter, may apply to the State Elections
556 Enforcement Commission for a grant from the fund under the Citizens'
557 Election Program for (1) a primary campaign, after the close of the
558 state convention of the candidate's party that is called for the purpose
559 of choosing candidates for nomination for the office that the candidate
560 is seeking, if said party endorses the candidate for the office that the
561 candidate is seeking or the candidate receives at least fifteen per cent
562 of the votes of the convention delegates present and voting on any roll-
563 call vote taken on the endorsement or proposed endorsement of a
564 candidate for the office the candidate is seeking; or (2) a general
565 election campaign (A) after the close of the state convention of the
566 candidate's party that is called for the purpose of choosing candidates
567 for nomination for the office that the candidate is seeking, if (i) said
568 party endorses said candidate for the office that the candidate is
569 seeking and no other candidate of said party either receives at least
570 fifteen per cent of the votes of the convention delegates present and
571 voting on any roll-call vote taken on the endorsement or proposed
572 endorsement of a candidate for said office or files a certificate of
573 candidacy with the Secretary of the State in accordance with the
574 provisions of section 9-400 of the general statutes, or (ii) the candidate
575 receives at least fifteen per cent of the votes of the convention delegates
576 present and voting on any roll-call vote taken on the endorsement or
577 proposed endorsement of a candidate for the office the candidate is
578 seeking and no other candidate for such office at such convention
579 either receives the party endorsement or said percentage of said votes
580 for said endorsement or files a certificate of endorsement with the
581 Secretary of the State in accordance with the provisions of section 9-388
582 of the general statutes or a certificate of candidacy with the Secretary
583 of the State in accordance with the provisions of section 9-400 of the
584 general statutes, (B) after any primary held by such party for
585 nomination for such office, if the Secretary of the State declares that the

586 candidate is the party nominee in accordance with the provisions of
587 section 9-440 of the general statutes, or (C) in the case of a petitioning
588 party candidate, after approval by the Secretary of the State of such
589 candidate's nominating petition pursuant to subsection (c) of section 9-
590 453o of the general statutes.

591 (b) The application shall include a written certification that:

592 (1) The candidate committee has received the required amount of
593 qualifying contributions;

594 (2) The candidate committee has repaid all moneys borrowed on
595 behalf of the campaign, as required by subsection (b) of section 16 of
596 this act;

597 (3) The candidate committee has returned any contribution from an
598 individual who does not include the individual's name and address
599 with the contribution;

600 (4) The campaign treasurer of the candidate committee shall comply
601 with the provisions of sections 1 and 10 to 24, inclusive, of this act;

602 (5) All moneys received from the fund shall be deposited upon
603 receipt into the depository account of the candidate committee;

604 (6) The campaign treasurer of the candidate committee shall expend
605 all moneys received from the fund in accordance with the provisions of
606 subsection (g) of section 9-333i of the general statutes; and

607 (7) If the candidate withdraws from the campaign, becomes
608 ineligible or dies during the campaign, the candidate committee of the
609 candidate shall return to the commission, for deposit in the fund, all
610 moneys received from the fund pursuant to sections 1 and 10 to 24,
611 inclusive, of this act which said candidate committee has not spent as
612 of the date of such occurrence.

613 (c) The application shall be accompanied by a cumulative itemized

614 accounting of all funds received, expenditures made and expenses
615 incurred but not yet paid by the candidate committee as of three days
616 before the date that the application is signed. Such accounting shall be
617 sworn to under penalty of false statement by the campaign treasurer of
618 the candidate committee. The commission shall prescribe the form of
619 the application and the cumulative itemized accounting, after
620 consulting with the Secretary of the State. The form for such
621 accounting shall conform to the requirements of section 9-333j of the
622 general statutes. Both the candidate and the campaign treasurer of the
623 candidate committee shall sign the application.

624 (d) Not later than three business days following receipt of any such
625 application, the commission shall review the application, determine
626 whether the candidate committee for the applicant (1) has received the
627 required qualifying contributions, and (2) in the case of an application
628 for a grant from the fund for a primary campaign or a general election
629 campaign, the applicant has met the applicable condition under
630 subsection (a) of this section for applying for such moneys and, if so,
631 determine the amount of the grant payable to the candidate committee
632 from the fund and notify the State Comptroller and the candidate of
633 such candidate committee, of such amount. Not later than two
634 business days following notification by the commission, the State
635 Comptroller shall draw an order on the State Treasurer for payment of
636 such amount to the qualified candidate committee from the Citizens'
637 Election Fund.

638 Sec. 15. (NEW) Following the initial deposit of moneys from the
639 Citizens' Election Fund into the depository account of a qualified
640 candidate committee, no contribution, loan, amount of the candidate's
641 own moneys or any other moneys received by the candidate or the
642 campaign treasurer on behalf of the committee shall be deposited into
643 said depository account, except (1) grants from the fund, and (2) any
644 additional moneys from the fund as provided in sections 20 and 21 of
645 this act.

646 Sec. 16. (NEW) A qualified candidate committee which received
647 moneys from the Citizens' Election Fund for a primary campaign and
648 whose candidate is the party nominee shall receive moneys from the
649 fund for a general election campaign. Upon receiving verification from
650 the Secretary of the State of the declaration by the Secretary of the State
651 in accordance with the provisions of section 9-440 of the general
652 statutes, of the results of the votes cast at the primary, the commission
653 shall notify the State Comptroller of the amount payable to such
654 qualified candidate committee. Not later than two business days
655 following notification by the commission, the State Comptroller shall
656 draw an order on the State Treasurer for payment of the general
657 election campaign grant to said committee from the fund.

658 Sec. 17. (NEW) (a) For purposes of this section, expenditures made
659 to aid or promote the success of both a candidate for nomination or
660 election to the office of Governor and a candidate for nomination or
661 election to the office of Lieutenant Governor jointly, shall be
662 considered expenditures made to aid or promote the success of a
663 candidate for nomination or election to the office of Governor. The
664 party-endorsed candidate for nomination or election to the office of
665 Lieutenant Governor and the party-endorsed candidate for nomination
666 or election to the office of Governor shall be deemed to be aiding or
667 promoting the success of both candidates jointly upon the earliest of
668 the following: (1) The primary, whether held for the office of Governor,
669 the office of Lieutenant Governor, or both; (2) if no primary is held for
670 the office of Governor or Lieutenant Governor, the convention; or (3) a
671 declaration by the party-endorsed candidates that they shall campaign
672 jointly. Any other candidate for nomination or election to the office of
673 Lieutenant Governor shall be deemed to be aiding or promoting the
674 success of such candidacy for the office of Lieutenant Governor and
675 the success of a candidate for nomination or election to the office of
676 Governor jointly upon a declaration by the candidates that they shall
677 campaign jointly.

678 (b) The candidate committee formed to aid or promote the success

679 of a candidate for nomination or election to the office of Lieutenant
680 Governor, the candidate of which campaigns jointly with a candidate
681 for nomination or election to the office of Governor, shall be dissolved
682 as of the applicable date set forth in subsection (a) of this section. Not
683 later than fifteen days after the applicable date set forth in subsection
684 (a) of this section, the campaign treasurer of the candidate committee
685 formed to aid or promote the success of said candidate for nomination
686 or election to the office of Lieutenant Governor shall file a statement
687 with the proper authority under section 9-333e of the general statutes,
688 as amended by this act, identifying all contributions received or
689 expenditures made by the committee since the previous statement and
690 the balance on hand or deficit, as the case may be. Not later than thirty
691 days after the applicable date set forth in subsection (a) of this section,
692 (1) the campaign treasurer of a qualified candidate committee formed
693 to aid or promote the success of said candidate for nomination or
694 election to the office of Lieutenant Governor shall distribute any
695 surplus to the Citizens' Election Fund, and (2) the campaign treasurer
696 of a nonqualified candidate committee formed to aid or promote the
697 success of said candidate for nomination or election to the office of
698 Lieutenant Governor shall distribute such surplus in accordance with
699 the provisions of subsection (e) of section 9-333j of the general statutes,
700 as amended by this act.

701 Sec. 18. (NEW) (a) A qualified candidate committee may borrow
702 moneys on behalf of a campaign for a primary or a general election
703 from one or more financial institutions, as defined in section 36a-41 of
704 the general statutes, in an aggregate amount not to exceed one
705 thousand dollars. The amount borrowed shall not constitute a
706 qualifying contribution. No individual, political committee or party
707 committee, except the candidate or, in a general election, the state
708 central committee of a political party, shall endorse or guarantee such
709 a loan in an aggregate amount in excess of five hundred dollars. An
710 endorsement or guarantee of such a loan shall constitute a contribution
711 by such individual or committee for so long as the loan is outstanding.
712 The amount endorsed or guaranteed by such individual or committee

713 shall cease to constitute a contribution upon repayment of the amount
714 endorsed or guaranteed.

715 (b) All such loans shall be repaid in full prior to the date a candidate
716 committee applies for the moneys from the Citizens' Election Fund
717 pursuant to section 12 of this act. The candidate shall certify to the
718 commission that such loans were repaid. A candidate who fails to
719 repay such loans or fails to certify such repayment to the commission
720 shall not be eligible to receive and shall not receive moneys from the
721 fund.

722 Sec. 19. (NEW) (a) A qualified candidate committee which receives a
723 grant from the Citizens' Election Fund pursuant to section 14 of this act
724 and makes expenditures in excess of an expenditure limit set forth in
725 section 12 of this act (1) shall repay to the fund the full amount of such
726 grant, (2) shall not receive any additional moneys from the fund for the
727 remainder of the election cycle, (3) shall be subject to civil penalties
728 under section 9-7b of the general statutes, as amended by this act, and
729 (4) shall be deemed to be a nonparticipating candidate for the purposes
730 of sections 10 to 24, inclusive, of this act.

731 (b) A candidate whose candidate committee fails to return any
732 surplus grant funds to the fund within ninety days after a primary or
733 an election, whichever is applicable shall be subject to the penalties for
734 larceny under sections 53a-122 to 53a-125b, inclusive, of the general
735 statutes depending on the amount involved.

736 Sec. 20. (NEW) (a) Additional moneys from the Citizens' Election
737 Fund shall be paid to a qualified candidate committee which received
738 moneys from the fund if the committee of an opposing candidate
739 makes expenditures in excess of an expenditure limit set forth in
740 section 12 of this act. Such additional moneys from the fund shall be
741 paid to a qualified candidate committee which received moneys from
742 the fund (1) regardless of whether the candidate committee which
743 makes expenditures in excess of the applicable expenditure limit has
744 received moneys from the fund, (2) in an amount equal to the greatest

745 amount of expenditures in excess of the applicable expenditure limit
746 which the committee of an opposing candidate has made expenditures,
747 and (3) immediately following the commission's verification that the
748 committee of an opposing candidate has made expenditures in excess
749 of the applicable expenditure limit.

750 (b) If a nonparticipating candidate makes or incurs the obligation to
751 make an excess expenditure more than twenty days before the day of a
752 primary or election, the candidate shall file a declaration of excess
753 expenditures not later than forty-eight hours after making or incurring
754 the expenditure. If a nonparticipating candidate makes or incurs the
755 obligation to make an excess expenditure twenty days or less before
756 the day of a primary or election, the candidate shall file a declaration of
757 excess expenditures not later than twenty-four hours after making or
758 incurring the expenditure. The commission may determine whether
759 any expenditure by a nonparticipating candidate shall be deemed an
760 excess expenditure.

761 Sec. 21. (NEW) Upon the receipt of a report under subsection (e) of
762 section 9-333n of the general statutes, as amended by this act, that an
763 independent expenditure has been made or obligated to be made, with
764 the intent to promote the defeat of a candidate whose candidate
765 committee has received a grant under the Citizens' Election Program,
766 the commission shall immediately notify the State Comptroller that
767 additional money, equal to the amount of the independent
768 expenditure, shall be paid to said candidate committee. Not later than
769 two business days following notification by the commission, the State
770 Comptroller shall draw an order on the State Treasurer for payment of
771 such amount to said candidate committee from the Citizens' Election
772 Fund.

773 Sec. 22. (NEW) The campaign treasurer for each candidate for
774 election to state office in 2006, or thereafter shall file campaign finance
775 statements with the office of the Secretary of the State (1) according to
776 the same schedule as required of a campaign treasurer of a candidate

777 committee under section 9-333j of the general statutes until receiving
778 contributions, receipts and grants totaling seventy-five per cent of the
779 applicable expenditure limit for a general election campaign, as set
780 forth in section 12 of this act, and (2) then, notwithstanding said
781 schedule in said section 9-333j, on the second Thursday of each month
782 between the beginning of the fourth month preceding the day of the
783 election for said office and the beginning of the sixth week preceding
784 the election and then on each Thursday until the day of the election.
785 Said statements shall be prepared in the same manner as statements
786 required by section 9-333j of the general statutes. If a campaign
787 treasurer fails to file any statement required by this section within the
788 time required, or with both the Secretary of the State and the
789 commission, such campaign treasurer shall be subject to a civil penalty
790 imposed by the State Elections Enforcement Commission, of not more
791 than one thousand dollars for each such failure.

792 Sec. 23. (NEW) The Secretary of the State shall provide to each
793 committee whose candidate has filed an affidavit under subsection (b)
794 of section 10 of this act certifying that the candidate intends to abide by
795 the applicable expenditure limits under the Citizens' Election Program,
796 a copy of the centralized computer list of registered voters in the state
797 established pursuant to the plan authorized under section 1 of special
798 act 91-45. The Secretary of the State shall provide the copy in electronic
799 format, free of charge.

800 Sec. 24. (NEW) (a) Not later than June 1, 2002, and annually
801 thereafter, the State Elections Enforcement Commission shall issue a
802 report on the status of the Citizens' Election Fund during the previous
803 calendar year. Such report shall include the amount of moneys
804 deposited in the fund, the sources of moneys received by category, the
805 number of contributions, the number of contributors, the amount of
806 moneys expended by category, the recipients of moneys distributed
807 from the fund and an accounting of the costs incurred by the
808 commission in administering the provisions of sections 1 to 4,
809 inclusive, and 6 to 24, inclusive, of this act. Not later than May 15, 2002,

810 and annually thereafter, the Commissioner of Revenue Services shall
811 submit to the commission the information in the possession of the
812 commissioner which the commission needs to complete such report.

813 (b) Not later than January 1, 2006, and January first in any year
814 thereafter in which an election for state offices or General Assembly
815 offices is to be held, the commission shall determine whether the
816 amount of moneys in the fund is sufficient to carry out the purposes of
817 sections 1 to 4, inclusive, and 8 to 23, inclusive, of this act for said
818 election in said year. If the commission determines that such amount is
819 not sufficient to carry out such purposes, the commission shall, not
820 later than three days after such later determination, (1) determine the
821 percentage of the fund's obligations that can be met for said election,
822 (2) recalculate the amount of each payment that a qualified candidate
823 committee of a candidate for a state office is entitled to receive under
824 section 14 of this act or that a candidate committee of a participating
825 candidate for a General Assembly office is entitled to receive under
826 section 9 of this act when a nonparticipating candidate exceeds the
827 expenditure limit in section 8 of this act, by multiplying such
828 percentage by the amount that the committee would have been
829 entitled to receive under section 9 or 14 of this act if there were a
830 sufficient amount of moneys in the fund, and (3) notify each applicant
831 for moneys from the fund of such insufficiency, percentage and
832 applicable recalculation. After a qualified candidate committee of a
833 candidate for a state office first receives any such recalculated
834 payment, the committee may resume accepting contributions and
835 making expenditures from such contributions, provided no qualified
836 candidate committee which receives such recalculated payments from
837 the fund shall accept contributions in excess of the amount of moneys
838 which the committee was entitled to receive from the fund but did not
839 receive from the fund. After a candidate committee of a candidate for a
840 General Assembly office first receives any such recalculated payment,
841 the committee may exceed the expenditure limit in section 8 of this act,
842 provided the sum of such excess spending and such recalculated
843 payment shall not exceed the amount of excess spending by the

844 nonparticipating candidate. The commission shall also issue a report
845 on said determination.

846 (c) The commission shall establish a reserve account in the fund. The
847 first twenty-five thousand dollars deposited in the fund during any
848 year shall be placed in said account. The commission shall use moneys
849 in the reserve account only during the seven days preceding an
850 election for payments to candidates (1) whose payments were reduced
851 under subsection (b) of this section, or (2) who are entitled to funding
852 to match, during said seven-day period, independent expenditures
853 pursuant to section 9 or 21 of this act.

854 Sec. 25. Section 9-333a of the general statutes is repealed and the
855 following is substituted in lieu thereof:

856 As used in this chapter and sections 1 to 4, inclusive, 6 to 24,
857 inclusive, and 37 of this act:

858 (1) "Committee" means a party committee, political committee or a
859 candidate committee organized, as the case may be, for a single
860 primary, election or referendum, or for ongoing political activities, to
861 aid or promote the success or defeat of any political party, any one or
862 more candidates for public office or the position of convention
863 delegate or town committee member or any referendum question.

864 (2) "Party committee" means a state central committee or a town
865 committee. "Party committee" does not mean a party-affiliated or
866 district, ward or borough committee which receives all of its funds
867 from the state central committee of its party or from a single town
868 committee with the same party affiliation. Any such committee so
869 funded shall be construed to be a part of its state central or town
870 committee for purposes of this chapter and sections 1 to 4, inclusive, 6
871 to 24, inclusive, and 37 of this act.

872 (3) "Political committee" means (A) a committee organized by a
873 business entity or organization, (B) persons other than individuals, or

874 two or more individuals organized or acting jointly conducting their
875 activities in or outside the state, (C) a committee established by a
876 candidate to determine the particular public office to which [he] such
877 candidate shall seek nomination or election, and referred to in this
878 chapter as an exploratory committee, or (D) a committee established by
879 or on behalf of a slate of candidates in a primary for the position of
880 convention delegate, but does not mean a candidate committee or a
881 party committee.

882 (4) "Candidate committee" means any committee designated by a
883 single candidate, or established with the consent, authorization or
884 cooperation of a candidate, for the purpose of a single primary or
885 election and to aid or promote [his] such candidate's candidacy alone
886 for a particular public office or the position of town committee
887 member, but does not mean a political committee or a party
888 committee.

889 (5) "National committee" means the organization which according to
890 the bylaws of a political party is responsible for the day-to-day
891 operation of the party at the national level.

892 (6) "Organization" means all labor organizations, (A) as defined in
893 the Labor-Management Reporting and Disclosure Act of 1959, as from
894 time to time amended, or (B) as defined in subdivision (9) of section
895 31-101, employee organizations, as defined in subsection (d) of section
896 5-270 and subdivision (6) of section 7-467, bargaining representative
897 organizations for teachers, any local, state or national organization, to
898 which a labor organization pays membership or per capita fees, based
899 upon its affiliation or membership, and trade or professional
900 associations which receive their funds exclusively from membership
901 dues, whether organized in or outside of this state, but does not mean
902 a candidate committee, party committee or a political committee.

903 (7) "Business entity" means the following, whether organized in or
904 outside of this state: Stock corporations, banks, insurance companies,
905 business associations, bankers associations, insurance associations,

906 trade or professional associations which receive funds from
907 membership dues and other sources, partnerships, joint ventures,
908 private foundations, as defined in Section 509 of the Internal Revenue
909 Code of 1986, or any subsequent corresponding internal revenue code
910 of the United States, as from time to time amended; trusts or estates;
911 corporations organized under sections 38a-175 to 38a-192, inclusive,
912 38a-199 to 38a-209, inclusive, and 38a-214 to 38a-225, inclusive, and
913 chapters 594 to 597, inclusive; cooperatives, and any other association,
914 organization or entity which is engaged in the operation of a business
915 or profit-making activity; but does not include professional service
916 corporations organized under chapter 594a and owned by a single
917 individual, nonstock corporations which are not engaged in business
918 or profit-making activity, organizations, as defined in subdivision (6)
919 of this section, candidate committees, party committees and political
920 committees as defined in this section. For purposes of this chapter,
921 corporations which are component members of a controlled group of
922 corporations, as those terms are defined in Section 1563 of the Internal
923 Revenue Code of 1986, or any subsequent corresponding internal
924 revenue code of the United States, as from time to time amended, shall
925 be deemed to be one corporation.

926 (8) "Individual" means a human being, a sole proprietorship, or a
927 professional service corporation organized under chapter 594a and
928 owned by a single human being.

929 (9) "Person" means an individual, committee, firm, partnership,
930 organization, association, syndicate, company trust, corporation,
931 limited liability company or any other legal entity of any kind but does
932 not mean the state or any political or administrative subdivision of the
933 state.

934 (10) "Candidate" means an individual who seeks nomination for
935 election or election to public office whether or not such individual is
936 elected, and for the purposes of this chapter and sections 1 to 4,
937 inclusive, 6 to 24, inclusive, and 37 of this act an individual shall be

938 deemed to seek nomination for election or election if [he] such
939 individual has (A) been endorsed by a party or become eligible for a
940 position on the ballot at an election or primary, or (B) solicited or
941 received contributions or made expenditures or given [his] such
942 individual's consent to any other person to solicit or receive
943 contributions or make expenditures with the intent to bring about [his]
944 such individual's nomination for election or election to any such office.
945 "Candidate" also means a slate of candidates which is to appear on the
946 ballot in a primary for the position of convention delegate. For the
947 purposes of sections 9-333 to 9-333l, inclusive, as amended by this act,
948 and section 9-333w, "candidate" also means an individual who is a
949 candidate in a primary for town committee members.

950 (11) "Campaign treasurer" means the individual appointed by a
951 candidate or by the [chairman] chairperson of a party committee or a
952 political committee to receive and disburse funds on behalf of the
953 candidate or committee.

954 (12) "Deputy campaign treasurer" means the individual appointed
955 by the candidate or by the [chairman] chairperson of a committee to
956 serve in the capacity of the campaign treasurer if the campaign
957 treasurer is unable to perform [his] the campaign treasurer's duties.

958 (13) "Solicitor" means an individual appointed by a campaign
959 treasurer of a committee to receive, but not to disburse, funds on
960 behalf of the committee.

961 (14) "Referendum question" means a question to be voted upon at
962 any election or referendum, including a proposed constitutional
963 amendment.

964 (15) "Lobbyist" means a lobbyist as defined in subsection (l) of
965 section 1-91.

966 (16) "Business with which he is associated" means any business in
967 which the contributor is a director, officer, owner, limited or general

968 partner or holder of stock constituting five per cent or more of the total
969 outstanding stock of any class. Officer refers only to the president,
970 executive or senior vice-president or treasurer of such business.

971 (17) "Independent expenditure" means an expenditure that is made
972 without the consent, knowing participation, or consultation of, a
973 candidate or agent of the candidate committee. "Independent
974 expenditure" does not include an expenditure (A) if there is any
975 coordination or direction with respect to the expenditure between the
976 candidate or the treasurer, deputy treasurer or [chairman] chairperson
977 of [his] such candidate committee and the person making the
978 expenditure, or (B) if, during the same election cycle, the individual
979 making the expenditure serves or has served as the treasurer, deputy
980 treasurer or [chairman] chairperson of the candidate committee.

981 (18) "Federal account" means a depository account that is subject to
982 the disclosure and contribution limits provided under the Federal
983 Election Campaign Act of 1971, as amended from time to time.

984 (19) "Public funds" means funds belonging to, or under the control
985 of, the state or a political subdivision of the state.

986 Sec. 26. Section 9-333b of the general statutes is repealed and the
987 following is substituted in lieu thereof:

988 (a) As used in this chapter and sections 1 to 4, inclusive, 6 to 24,
989 inclusive, and 37 of this act, "contribution" means:

990 (1) Any gift, subscription, loan, advance, payment or deposit of
991 money or anything of value, made for the purpose of influencing the
992 nomination for election, or election, of any person or for the purpose of
993 aiding or promoting the success or defeat of any referendum question
994 or on behalf of any political party;

995 (2) A written contract, promise or agreement to make a contribution
996 for any such purpose;

997 (3) The payment by any person, other than a candidate or campaign
998 treasurer, of compensation for the personal services of any other
999 person which are rendered without charge to a committee or candidate
1000 for any such purpose;

1001 (4) An expenditure when made by a person with the cooperation of,
1002 or in consultation with, any candidate, candidate committee or
1003 candidate's agent or which is made in concert with, or at the request or
1004 suggestion of, any candidate, candidate committee or candidate's
1005 agent; or

1006 (5) Funds received by a committee which are transferred from
1007 another committee or other source for any such purpose.

1008 (b) As used in this chapter and sections 1 to 4, inclusive, 6 to 24,
1009 inclusive, and 37 of this act, "contribution" does not mean:

1010 (1) A loan of money made in the ordinary course of business by a
1011 national or state bank;

1012 (2) Any communication made by a corporation, organization or
1013 association to its members, owners, stockholders, executive or
1014 administrative personnel, or their families;

1015 (3) Nonpartisan voter registration and get-out-the-vote campaigns
1016 by any corporation, organization or association aimed at its members,
1017 owners, stockholders, executive or administrative personnel, or their
1018 families;

1019 (4) Uncompensated services provided by individuals volunteering
1020 their time;

1021 (5) The use of real or personal property, and the cost of invitations,
1022 food or beverages, voluntarily provided by an individual to a
1023 candidate or on behalf of a state central or town committee, in
1024 rendering voluntary personal services for candidate or party-related
1025 activities at the individual's residence, to the extent that the cumulative

1026 value of the invitations, food or beverages provided by the individual
1027 on behalf of any single candidate does not exceed two hundred dollars
1028 with respect to any single election, and on behalf of all state central
1029 and town committees does not exceed four hundred dollars in any
1030 calendar year;

1031 (6) The sale of food or beverage for use in a candidate's campaign or
1032 for use by a state central or town committee at a discount, if the charge
1033 is not less than the cost to the vendor, to the extent that the cumulative
1034 value of the discount given to or on behalf of any single candidate does
1035 not exceed two hundred dollars with respect to any single election,
1036 and on behalf of all state central and town committees does not exceed
1037 four hundred dollars in a calendar year;

1038 (7) Any unreimbursed payment for travel expenses made by an
1039 individual who on [his] said individual's own behalf volunteers [his]
1040 said individual's personal services to any single candidate to the extent
1041 the cumulative value does not exceed two hundred dollars with
1042 respect to any single election, and on behalf of all state central or town
1043 committees does not exceed four hundred dollars in a calendar year;

1044 (8) The payment, by a party committee, political committee or an
1045 individual, of the costs of preparation, display, mailing or other
1046 distribution incurred by the committee or individual with respect to
1047 any printed slate card, sample ballot or other printed list containing
1048 the names of three or more candidates;

1049 (9) The donation of any item of personal property by an individual
1050 to a committee for a fund-raising affair, including a tag sale or auction,
1051 or the purchase by an individual of any such item at such an affair, to
1052 the extent that the cumulative value donated or purchased does not
1053 exceed fifty dollars;

1054 (10) The purchase of advertising space which clearly identifies the
1055 purchaser, in a program for a fund-raising affair, provided the
1056 cumulative purchase of such space does not exceed two hundred fifty

1057 dollars from any single candidate or [his] committee of any single
1058 candidate with respect to any single election campaign or two hundred
1059 fifty dollars from any single party committee or other political
1060 committee in any calendar year if the purchaser is a business entity or
1061 fifty dollars for purchases by any other person;

1062 (11) The payment of money by a candidate to [his] said candidate's
1063 candidate committee;

1064 (12) The donation of goods or services by a business entity to a
1065 committee for a fund-raising affair, including a tag sale or auction, to
1066 the extent that the cumulative value donated does not exceed one
1067 hundred dollars;

1068 (13) The advance of a security deposit by an individual to a
1069 telephone company, as defined in section 16-1, for telecommunications
1070 service for a committee, provided the security deposit is refunded to
1071 the individual; or

1072 (14) The provision of facilities, equipment, technical and managerial
1073 support, and broadcast time by a community antenna television
1074 company, as defined in section 16-1, for community access
1075 programming pursuant to section 16-331a, unless (A) the major
1076 purpose of providing such facilities, equipment, support and time is to
1077 influence the nomination or election of a candidate, or (B) such
1078 facilities, equipment, support and time are provided on behalf of a
1079 political party.

1080 Sec. 27. Subsection (a) of section 9-333e of the general statutes is
1081 repealed and the following is substituted in lieu thereof:

1082 (a) Statements filed by party committees, political committees
1083 formed to aid or promote the success or defeat of a referendum
1084 question proposing a constitutional convention, constitutional
1085 amendment or revision of the constitution, individual lobbyists, and
1086 those political committees and candidate committees formed to aid or

1087 promote the success or defeat of any candidate for the office of
1088 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,
1089 State Comptroller, Attorney General, judge of probate and members of
1090 the General Assembly, shall be filed with the office of the Secretary of
1091 the State. On and after January 1, 2006, a copy of each statement filed
1092 by a candidate committee formed to aid or promote the success of any
1093 candidate for the office of Governor, Lieutenant Governor, Secretary of
1094 the State, State Treasurer, State Comptroller, Attorney General, state
1095 senator or state representative shall be filed at the same time with the
1096 commission. A copy of each statement filed by a town committee shall
1097 be filed at the same time with the town clerk of the municipality in
1098 which the committee is situated. A political committee formed for a
1099 slate of candidates in a primary for the position of convention delegate
1100 shall file statements with both the Secretary of the State and the town
1101 clerk of the municipality in which the primary is to be held.

1102 Sec. 28. Subsection (a) of section 9-333m of the general statutes is
1103 repealed and the following is substituted in lieu thereof:

1104 (a) No individual shall make a contribution or contributions to, for
1105 the benefit of, or pursuant to the authorization or request of, a
1106 candidate or a committee supporting or opposing any candidate's
1107 campaign for nomination at a primary, or any candidate's campaign
1108 for election, to the office of (1) Governor, in excess of two thousand
1109 five hundred dollars for a primary or an election held in 2002, and in
1110 excess of one thousand dollars for a primary or an election held in
1111 2006, or thereafter; (2) Lieutenant Governor, Secretary of the State,
1112 State Treasurer, State Comptroller or Attorney General, in excess of
1113 one thousand five hundred dollars for a primary or an election held in
1114 2002, and in excess of seven hundred fifty dollars for a primary or an
1115 election held in 2006, or thereafter; (3) chief executive officer of a town,
1116 city or borough, in excess of one thousand dollars; (4) state senator or
1117 probate judge, in excess of five hundred dollars; or (5) state
1118 representative or any other office of a municipality not [previously]
1119 specifically included in this subsection, in excess of two hundred fifty

1120 dollars. [The] Except for contributions to, or for the benefit of, a
1121 candidate's campaign in 2006, or thereafter, for the office of Governor,
1122 Lieutenant Governor, Secretary of the State, State Treasurer, State
1123 Comptroller or Attorney General, the limits imposed by this
1124 subsection shall be applied separately to primaries and elections.

1125 Sec. 29. Subsection (e) of section 9-333n of the general statutes is
1126 repealed and the following is substituted in lieu thereof:

1127 (e) (1) Any individual acting alone may, independent of any
1128 candidate, agent of the candidate, or committee, make unlimited
1129 expenditures to promote the success or defeat of any candidate's
1130 campaign for election, or nomination at a primary, to any office or
1131 position. [provided any individual who makes an independent
1132 expenditure or expenditures in excess of one thousand dollars to
1133 promote the success or defeat of any candidate's campaign for election,
1134 or nomination at a primary, to any such office or position shall file
1135 statements according to the same schedule and in the same manner as
1136 is required of a campaign treasurer of a candidate committee under
1137 section 9-333j.]

1138 (2) Any person who, on or after July 1, 2003, makes or obligates to
1139 make an independent expenditure, as defined in section 9-333a,
1140 intended to promote the success or defeat of a candidate for public
1141 office, which exceeds one thousand dollars, in the aggregate, during a
1142 primary campaign or a general election campaign, shall file a report of
1143 such independent expenditure to the State Elections Enforcement
1144 Commission. The report shall be in the same form as statements filed
1145 under section 9-333j. If the person makes or obligates to make such
1146 independent expenditure more than twenty days before the day of a
1147 primary or election, the person shall file such report not later than
1148 forty-eight hours after such payment or obligation. If the person makes
1149 or obligates to make such independent expenditure twenty days or less
1150 before the day of a primary or election, the person shall file such report
1151 not later than twenty-four hours after such payment or obligation. The

1152 report shall be filed under penalty of false statement.

1153 (3) The independent expenditure report in subdivision (2) of this
1154 subsection shall include a statement (A) identifying the candidate for
1155 whom the independent expenditure is intended to promote the success
1156 or defeat, (B) affirming that the expenditure is totally independent and
1157 involves no cooperation or coordination with or direction from a
1158 candidate or a political party, and (C) affirming that the individual
1159 making the expenditure has not served or does not serve as treasurer,
1160 deputy treasurer or chairperson of the candidate committee during the
1161 same election cycle.

1162 (4) Any person may file a complaint with the commission upon the
1163 belief that (A) any such independent expenditure report or statement
1164 is false, or (B) any person who is required to file an independent
1165 expenditure report under subdivision (2) of this subsection has failed
1166 to do so. The commission shall make a prompt determination on such
1167 a complaint.

1168 Sec. 30. Subsection (d) of section 9-333o of the general statutes is
1169 repealed and the following is substituted in lieu thereof:

1170 (d) A political committee organized by a business entity shall not
1171 make a contribution or contributions to or for the benefit of any
1172 candidate's campaign for nomination at a primary or any candidate's
1173 campaign for election to the office of: (1) Governor, in excess of five
1174 thousand dollars for a primary or an election held in 2002, and in
1175 excess of three thousand five hundred dollars for a primary or an
1176 election held in 2006, or thereafter; (2) Lieutenant Governor, Secretary
1177 of the State, State Treasurer, State Comptroller or Attorney General, in
1178 excess of three thousand dollars for a primary or an election held in
1179 2002, and in excess of two thousand dollars for a primary or an
1180 election held in 2006, or thereafter; (3) state senator, probate judge or
1181 chief executive officer of a town, city or borough, in excess of one
1182 thousand dollars; (4) state representative, in excess of five hundred
1183 dollars; [or] (5) any other office of a municipality not included in

1184 subdivision (3) of this subsection, in excess of two hundred fifty
1185 dollars; or (6) an exploratory committee, in excess of two hundred fifty
1186 dollars. [The] Except for contributions to, or for the benefit of, a
1187 candidate's campaign in 2006, or thereafter, for the office of Governor,
1188 Lieutenant Governor, Secretary of the State, State Treasurer, State
1189 Comptroller or Attorney General, the limits imposed by this
1190 subsection shall apply separately to primaries and elections. [and
1191 contributions] Contributions by any such committee to candidates
1192 designated in this subsection shall not exceed one hundred thousand
1193 dollars in the aggregate for any single election and primary
1194 preliminary thereto. Contributions to such committees shall also be
1195 subject to the provisions of section 9-333t, as amended by this act, in
1196 the case of committees formed for ongoing political activity or section
1197 9-333u, as amended by this act, in the case of committees formed for a
1198 single election or primary.

1199 Sec. 31. Section 9-333q of the general statutes is repealed and the
1200 following is substituted in lieu thereof:

1201 (a) No political committee established by an organization shall
1202 make a contribution or contributions to, or for the benefit of, any
1203 candidate's campaign for nomination at a primary or for election to the
1204 office of: (1) Governor, in excess of two thousand five hundred dollars;
1205 (2) Lieutenant Governor, Secretary of the State, State Treasurer, State
1206 Comptroller or Attorney General, in excess of one thousand five
1207 hundred dollars; (3) chief executive officer of a town, city or borough,
1208 in excess of one thousand dollars; (4) state senator or probate judge, in
1209 excess of five hundred dollars; or (5) state representative or any other
1210 office of a municipality not [previously] specifically included in this
1211 subsection, in excess of two hundred fifty dollars.

1212 (b) No such committee shall make a contribution or contributions to,
1213 or for the benefit of, an exploratory committee, in excess of two
1214 hundred fifty dollars. Any such committee may make unlimited
1215 contributions to a political committee formed solely to aid or promote

1216 the success or defeat of a referendum question.

1217 (c) [The] Except for contributions to, or for the benefit of, a
1218 candidate's campaign in 2006, or thereafter, for the office of Governor,
1219 Lieutenant Governor, Secretary of the State, State Treasurer, State
1220 Comptroller or Attorney General, the limits imposed by subsection (a)
1221 of this section shall apply separately to primaries and elections. [and
1222 no] No such committee shall make contributions to the candidates
1223 designated in this section which in the aggregate exceed fifty thousand
1224 dollars for any single election and primary preliminary thereto.

1225 (d) No political committee established by an organization shall
1226 make contributions in any one calendar year to, or for the benefit of, (1)
1227 the state central committee of a political party, in excess of five
1228 thousand dollars; (2) a town committee, in excess of one thousand
1229 dollars; or (3) any political committee, other than an exploratory
1230 committee or a committee formed solely to aid or promote the success
1231 or defeat of a referendum question, in excess of two thousand dollars.

1232 (e) No political committee established by an organization shall make
1233 contributions to the committees designated in subsection (d) of this
1234 section, which in the aggregate exceed fifteen thousand dollars in any
1235 one calendar year. Contributions to a political committee established
1236 by an organization shall also be subject to the provisions of section 9-
1237 333t, as amended by this act, in the case of a committee formed for
1238 ongoing political activity or section 9-333u, as amended by this act, in
1239 the case of a committee formed for a single election or primary.

1240 Sec. 32. Subsection (b) of section 9-333y of the general statutes is
1241 repealed and the following is substituted in lieu thereof:

1242 (b) If any campaign treasurer or lobbyist fails to file the statements
1243 required by section 9-333j or subsection (g) of section 9-333l, as the case
1244 may be, within the time required, [he] the campaign treasurer or
1245 lobbyist shall pay a late filing fee of fifty-five dollars. In the case of a
1246 statement that is required to be filed with the Secretary of the State, the

1247 secretary shall, within ten days after the filing deadline, notify by
1248 certified mail, return receipt requested, the person required to file that,
1249 if such statement is not filed within twenty-one days after the deadline,
1250 the person is in violation of said section or subsection. If the person
1251 does not file such statement within twenty-one days after the deadline,
1252 the secretary shall notify the State Elections Enforcement Commission
1253 within twenty-eight days after the deadline. In the case of a copy of a
1254 statement that is required to be filed with the State Elections
1255 Enforcement Commission, the commission shall, not later than ten
1256 days after the filing deadline, notify by certified mail, return receipt
1257 requested, the person required to file that if such statement is not filed
1258 within twenty-one days after the deadline the person is in violation of
1259 section 9-333j. In the case of a statement that is required to be filed with
1260 a town clerk, the town clerk shall forthwith after the filing deadline
1261 notify by certified mail, return receipt requested, the person required
1262 to file that, if such statement is not filed within seven days after
1263 receiving such notice, the town clerk shall notify the State Elections
1264 Enforcement Commission that the person is in violation of said section
1265 or subsection. The penalty for any violation of said section or
1266 subsection shall be a fine of not more than one thousand dollars or
1267 imprisonment for not more than one year or both.

1268 Sec. 33. Section 9-7b of the general statutes is repealed and the
1269 following is substituted in lieu thereof:

1270 (a) The State Elections Enforcement Commission shall have the
1271 following duties and powers:

1272 (1) To make investigations on its own initiative or with respect to
1273 statements filed with the commission by the Secretary of the State or
1274 any town clerk, or upon written complaint under oath by any
1275 individual, with respect to alleged violations of any provision of the
1276 general statutes or sections 1 to 4, inclusive, 6 to 24, inclusive, and 37 of
1277 this act, relating to any election or referendum, any primary held
1278 pursuant to section 9-423, 9-424, 9-425 or 9-464 or any primary held

1279 pursuant to a special act, and to hold hearings when the commission
1280 deems necessary to investigate violations of any provisions of the
1281 general statutes or sections 1 to 4, inclusive, 6 to 24, inclusive, and 37 of
1282 this act, relating to any such election, primary or referendum, and for
1283 the purpose of such hearings the commission may administer oaths,
1284 examine witnesses and receive oral and documentary evidence, and
1285 shall have the power to subpoena witnesses under procedural rules the
1286 commission shall adopt, to compel their attendance and to require the
1287 production for examination of any books and papers which the
1288 commission deems relevant to any matter under investigation or in
1289 question. In connection with its investigation of any alleged violation
1290 of any provision of chapter 145, or of any provision of section 9-359 or
1291 section 9-359a, the commission shall also have the power to subpoena
1292 any municipal clerk and to require the production for examination of
1293 any absentee ballot, inner and outer envelope from which any such
1294 ballot has been removed, depository envelope containing any such
1295 ballot or inner or outer envelope as provided in sections 9-150a and 9-
1296 150b and any other record, form or document as provided in section 9-
1297 150b, in connection with the election, primary or referendum to which
1298 the investigation relates. In case of a refusal to comply with any
1299 subpoena issued pursuant to this subsection or to testify with respect
1300 to any matter upon which that person may be lawfully interrogated,
1301 the superior court for the judicial district of Hartford, on application of
1302 the commission, may issue an order requiring such person to comply
1303 with such subpoena and to testify; failure to obey any such order of the
1304 court may be punished by the court as a contempt thereof. In any
1305 matter under investigation which concerns the operation or inspection
1306 of or outcome recorded on any voting machine, the commission may
1307 issue an order to the municipal clerk to impound such machine until
1308 the investigation is completed;

1309 (2) To levy a civil penalty not to exceed (A) two thousand dollars
1310 per offense against any person the commission finds to be in violation
1311 of any provision of chapter 145, part V of chapter 146, part I of chapter
1312 147, chapter 148, section 9-12, subsection (a) of section 9-17, section 9-

1313 19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-
1314 23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-
1315 50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-409, 9-410, 9-412, 9-436, 9-
1316 436a, 9-453e to 9-453h, inclusive, 9-453k, [or] 9-453o, or sections 1 to 4,
1317 inclusive, 6 to 24, inclusive, and 37 of this act, or (B) two thousand
1318 dollars per offense or twice the amount of any improper payment or
1319 contribution, whichever is greater, against any person the commission
1320 finds to be in violation of any provision of chapter 150. The
1321 commission may levy a civil penalty against any person under
1322 subparagraph (A) or (B) of this subdivision only after giving the
1323 person an opportunity to be heard at a hearing conducted in
1324 accordance with sections 4-176e to 4-184, inclusive. In the case of
1325 failure to pay any such penalty levied pursuant to this subsection
1326 [within] not later than thirty days of written notice sent by certified or
1327 registered mail to such person, the superior court for the judicial
1328 district of Hartford, on application of the commission, may issue an
1329 order requiring such person to pay the penalty imposed and such
1330 court costs, sheriff's fees and attorney's fees incurred by the
1331 commission as the court may determine. Any civil penalties paid,
1332 collected or recovered under subparagraph (B) of this subdivision for a
1333 violation of any provision of chapter 150 applying to the office of the
1334 Treasurer shall be deposited on a pro rata basis in any trust funds, as
1335 defined in section 3-13c, affected by such violation;

1336 (3) (A) To issue an order requiring any person the commission finds
1337 to have received any contribution or payment which is prohibited by
1338 any of the provisions of chapter 150, after an opportunity to be heard
1339 at a hearing conducted in accordance with the provisions of sections 4-
1340 176e to 4-184, inclusive, to return such contribution or payment to the
1341 donor or payor, or to remit such contribution or payment to the state
1342 for deposit in the General Fund, whichever is deemed necessary to
1343 effectuate the purposes of chapter 150;

1344 (B) To issue an order when the commission finds that an intentional
1345 violation of any provision of chapter 150 has been committed, after an

1346 opportunity to be heard at a hearing conducted in accordance with
1347 sections 4-176e to 4-184, inclusive, which order may contain one or
1348 more of the following sanctions: (i) Removal of a campaign treasurer,
1349 deputy campaign treasurer or solicitor; or (ii) prohibition on serving as
1350 a campaign treasurer, deputy campaign treasurer or solicitor, for a
1351 period not to exceed four years;

1352 (C) To issue an order revoking any person's eligibility to be
1353 appointed or serve as an election, primary or referendum official or
1354 unofficial checker or in any capacity at the polls on the day of an
1355 election, primary or referendum, when the commission finds such
1356 person has intentionally violated any provision of the general statutes
1357 relating to the conduct of an election, primary or referendum, after an
1358 opportunity to be heard at a hearing conducted in accordance with
1359 sections 4-176e to 4-184, inclusive;

1360 (4) To issue an order to a candidate committee which receives
1361 moneys from the Citizens' Election Fund pursuant to sections 1 to 4,
1362 inclusive, 6 to 24, inclusive, and 37 of this act, to comply with the
1363 provisions of said sections 1 to 4, inclusive, 6 to 24, inclusive, and 37,
1364 after an opportunity to be heard at a hearing conducted in accordance
1365 with the provisions of sections 4-176e to 4-184, inclusive;

1366 ~~[(4)]~~ (5) To inspect or audit at any reasonable time and upon
1367 reasonable notice the accounts or records of any campaign treasurer or
1368 principal campaign treasurer, as required by chapter 150 and sections 1
1369 to 4, inclusive, 6 to 24, inclusive, and 37 of this act, and to audit any
1370 such election, primary or referendum held within the state; provided,
1371 it shall not audit any caucus, as defined in subdivision (1) of section 9-
1372 372;

1373 ~~[(5)]~~ (6) To attempt to secure voluntary compliance, [by informal
1374 methods of conference, conciliation and persuasion,] with any
1375 provision of chapters 149 to 153, inclusive, or any other provision of
1376 the general statutes relating to any such election, primary or
1377 referendum by informal methods of conference, conciliation and

1378 persuasion;

1379 [(6)] (7) To consult with the Secretary of the State, the Chief State's
1380 Attorney or the Attorney General on any matter which the commission
1381 deems appropriate;

1382 [(7)] (8) To refer to the Chief State's Attorney evidence bearing upon
1383 violation of any provision of chapters 149 to 153, inclusive, or any
1384 other provision of the general statutes or sections 1 to 4, inclusive, 6 to
1385 24, inclusive, and 37 of this act, pertaining to or relating to any such
1386 election, primary or referendum;

1387 [(8)] (9) To refer to the Attorney General evidence for injunctive
1388 relief and any other ancillary equitable relief in the circumstances of
1389 subdivision [(7)] (8) of this [section] subsection. Nothing in this
1390 subdivision shall preclude a person who claims that [he] such person is
1391 aggrieved by a violation of any provision of chapter 152 or any other
1392 provision of the general statutes relating to referenda from pursuing
1393 injunctive and any other ancillary equitable relief directly from the
1394 Superior Court by the filing of a complaint;

1395 [(9)] (10) To refer to the Attorney General evidence pertaining to any
1396 ruling which the commission finds to be in error made by election
1397 officials in connection with any election, primary or referendum. Those
1398 remedies and procedures available to parties claiming to be aggrieved
1399 under the provisions of sections 9-323, 9-324, as amended by this act, 9-
1400 328 and 9-329a shall apply to any complaint brought by the Attorney
1401 General as a result of the provisions of this subdivision;

1402 [(10)] (11) To consult with the United States Department of Justice
1403 and the United States Attorney for Connecticut on any investigation
1404 pertaining to a violation of this section, section 9-12, subsection (a) of
1405 section 9-17 or section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a,
1406 9-23g, 9-23h, 9-23j to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-
1407 35c, 9-40a, 9-42, 9-43, 9-50a, 9-56 or 9-59 and to refer to said department
1408 and attorney evidence bearing upon any such violation for prosecution

1409 under the provisions of the National Voter Registration Act of 1993,
1410 P.L. 103-31, as amended from time to time;

1411 ~~[(11)]~~ (12) To inspect reports filed with the Secretary of the State and
1412 with town clerks pursuant to chapter 150 and refer to the Chief State's
1413 Attorney evidence bearing upon any violation of law therein if such
1414 violation was committed knowingly and wilfully;

1415 ~~[(12)]~~ (13) To intervene in any action brought pursuant to the
1416 provisions of sections 9-323, 9-324, as amended by this act, 9-328 and 9-
1417 329a upon application to the court in which such action is brought
1418 when in the opinion of the court it is necessary to preserve evidence of
1419 possible criminal violation of the election laws;

1420 ~~[(13)]~~ (14) To adopt and publish regulations pursuant to chapter 54
1421 to carry out the provisions of section 9-7a, this section, sections 1 to 4,
1422 inclusive, 6 to 24, inclusive, and 37 of this act, and chapter 150; to issue
1423 upon request and publish advisory opinions in the Connecticut Law
1424 Journal upon the requirements of chapter 150 and sections 1 to 4,
1425 inclusive, 6 to 24, inclusive, and 37 of this act, and to make
1426 recommendations to the General Assembly concerning suggested
1427 revisions of the election laws;

1428 ~~[(14)]~~ (15) To the extent that the State Elections Enforcement
1429 Commission is involved in the investigation of alleged or suspected
1430 criminal violations of any provision of the general statutes or sections 1
1431 to 4, inclusive, 6 to 24, inclusive, and 37 of this act, pertaining to or
1432 relating to any such election, primary or referendum and is engaged in
1433 such investigation for the purpose of presenting evidence to the Chief
1434 State's Attorney, the State Elections Enforcement Commission shall be
1435 deemed a law enforcement agency for purposes of subdivision (3) of
1436 subsection (b) of section 1-210, provided nothing in this section shall be
1437 construed to exempt the State Elections Enforcement Commission in
1438 any other respect from the requirements of the Freedom of Information
1439 Act, as defined in section 1-200;

1440 [(15)] (16) To enter into such contractual agreements as may be
1441 necessary for the discharge of its duties, within the limits of its
1442 appropriated funds and in accordance with established procedures;
1443 and

1444 [(16)] (17) To provide the Secretary of the State with notice and
1445 copies of all decisions rendered by the commission in contested cases,
1446 advisory opinions and declaratory judgments, at the time such
1447 decisions, judgments and opinions are made or issued.

1448 (b) In the case of a refusal to comply with an order of the
1449 commission issued pursuant to subdivision (3) of subsection (a) of this
1450 section, the superior court for the judicial district of Hartford, on
1451 application of the commission, may issue a further order to comply.
1452 Failure to obey such further order may be punished by the court as a
1453 contempt thereof.

1454 (c) (1) In addition to its jurisdiction over persons who are residents
1455 of this state, the State Elections Enforcement Commission may exercise
1456 personal jurisdiction over any nonresident person, or the agent of such
1457 person, who makes a payment of money, gives anything of value or
1458 makes a contribution or expenditure to or for the benefit of any
1459 committee or candidate.

1460 (2) Where personal jurisdiction is based solely upon this subsection,
1461 an appearance does not confer personal jurisdiction with respect to
1462 causes of action not arising from an act enumerated in this subsection.

1463 (3) Any nonresident person or the agent of such person over whom
1464 the State Elections Enforcement Commission may exercise personal
1465 jurisdiction, as provided in subdivision (1) of this subsection, shall be
1466 deemed to have appointed the Secretary of the State as the person's or
1467 agent's attorney and to have agreed that any process in any complaint,
1468 investigation or other matter conducted pursuant to section 9-7b
1469 brought against the nonresident person, or said person's agent, may be
1470 served upon the Secretary of the State and shall have the same validity

1471 as if served upon such nonresident person or agent personally. The
1472 process shall be served by the officer to whom the same is directed
1473 upon the Secretary of the State by leaving with or at the office of the
1474 Secretary of the State, at least twelve days before any required
1475 appearance day of such process, a true and attested copy of such
1476 process, and by sending to the nonresident person or agent so served,
1477 at the person's or agent's last-known address, by registered or certified
1478 mail, postage prepaid, a like and attested copy with an endorsement
1479 thereon of the service upon the Secretary of the State. The Secretary of
1480 the State shall keep a record of each such process and the day and hour
1481 of service.

1482 Sec. 34. Section 9-324 of the general statutes is repealed and the
1483 following is substituted in lieu thereof:

1484 Any elector or candidate who claims that [he] such elector or
1485 candidate is aggrieved by any ruling of any election official in
1486 connection with any election for Governor, Lieutenant Governor,
1487 Secretary of the State, State Treasurer, Attorney General, State
1488 Comptroller or judge of probate, held in [his] such elector or
1489 candidate's town, or that there has been a mistake in the count of the
1490 votes cast at such election for candidates for said offices or any of
1491 them, at any voting district in [his] such elector or candidate's town, or
1492 any candidate for such an office who claims that [he] such candidate is
1493 aggrieved by a violation of any provision of [sections] section 9-355, 9-
1494 357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the casting of absentee
1495 ballots at such election or any candidate for the office of Governor,
1496 Lieutenant Governor, Secretary of the State, State Treasurer, Attorney
1497 General or State Comptroller, who claims that such candidate is
1498 aggrieved by a violation of any provision of sections 1 to 4, inclusive, 6,
1499 7, 10 to 24, inclusive, and 37 of this act, may bring [his] such elector or
1500 candidate's complaint to any judge of the Superior Court, in which [he]
1501 such elector or candidate shall set out the claimed errors of such
1502 election official, the claimed errors in the count or the claimed
1503 violations of said sections. In any action brought pursuant to the

1504 provisions of this section, the complainant shall send a copy of the
1505 complaint by first-class mail, or deliver a copy of the complaint by
1506 hand, to the State Elections Enforcement Commission. If such
1507 complaint is made prior to such election, such judge shall proceed
1508 expeditiously to render judgment on the complaint and shall cause
1509 notice of the hearing to be given to the Secretary of the State and the
1510 State Elections Enforcement Commission. If such complaint is made
1511 subsequent to the election, it shall be brought [within] not later than
1512 fourteen days of the election and such judge shall forthwith order a
1513 hearing to be had upon such complaint, upon a day not more than five
1514 nor less than three days from the making of such order, and shall cause
1515 notice of not less than three nor more than five days to be given to any
1516 candidate or candidates whose election may be affected by the decision
1517 upon such hearing, to such election official, the Secretary of the State,
1518 the State Elections Enforcement Commission and to any other party or
1519 parties whom such judge deems proper parties thereto, of the time and
1520 place for the hearing upon such complaint. Such judge shall, on the
1521 day fixed for such hearing and without unnecessary delay, proceed to
1522 hear the parties. If sufficient reason is shown, [he] such judge may
1523 order any voting machines to be unlocked or any ballot boxes to be
1524 opened and a recount of the votes cast, including absentee ballots, to
1525 be made. Such judge shall thereupon, in case [he] such judge finds any
1526 error in the rulings of the election official, any mistake in the count of
1527 the votes or any violation of said sections, certify the result of [his]
1528 such judge's finding or decision to the Secretary of the State before the
1529 fifteenth day of the next succeeding December. Such judge may order a
1530 new election or a change in the existing election schedule. Such
1531 certificate of such judge of [his] such judge's finding or decision shall
1532 be final and conclusive upon all questions relating to errors in the
1533 rulings of such election officials, to the correctness of such count, and,
1534 for the purposes of this section only, such claimed violations, and shall
1535 operate to correct the returns of the moderators or presiding officers,
1536 so as to conform to such finding or decision, unless the same is
1537 appealed from as provided in section 9-325.

1538 Sec. 35. Subsections (b) and (c) of section 9-348ee of the general
1539 statutes are repealed and the following is substituted in lieu thereof:

1540 (b) On and after January 1, [1999] 2002, the campaign treasurer of
1541 the candidate committee for each candidate for nomination or election
1542 to the office of Governor, Lieutenant Governor, Attorney General,
1543 State Comptroller, State Treasurer or Secretary of the State who raises
1544 or spends [two hundred fifty] one hundred thousand dollars or more
1545 during an election campaign, and on and after January 1, 2005, the
1546 campaign treasurer of the candidate committee for each candidate for
1547 nomination or election to the office of state senator or state
1548 representative, who has received contributions totaling seventy-five
1549 per cent of the applicable expenditure limit in section 8 of this act, shall
1550 file in electronic form all financial disclosure statements required by
1551 said section 9-333j by either transmitting disks, tapes or other
1552 electronic storage media containing the contents of such statements to
1553 the office of the Secretary of the State or transmitting the statements
1554 on-line to said office. Each such campaign treasurer shall use, for all
1555 such statements, either (1) a software program created by the Secretary
1556 of the State under subdivision (1) of subsection (a) of this section, [for
1557 all such statements filed on or after January 1, 1999,] or (2) another
1558 software program which provides for the standard reporting format,
1559 and complies with the specifications, which are prescribed by the
1560 secretary under subdivision (2) of subsection (a) of this section. [for
1561 all such statements filed on or after July 1, 1999.] The office of the
1562 Secretary of the State shall accept any statement that uses any such
1563 software program. Once any such candidate committee has raised or
1564 spent [two hundred fifty thousand dollars or more] said amount
1565 during an election campaign, all previously filed statements required
1566 by said section 9-333j, which were not filed in electronic form shall be
1567 refiled in such form, using such a software program, not later than the
1568 date on which the campaign treasurer of the committee is required to
1569 file the next regular statement under said section 9-333j.

1570 (c) [On and after January 1, 1999, (1) the] The campaign treasurer of

1571 the candidate committee for any [other] candidate, as defined in
1572 section 9-333a, who is required to file [the] financial disclosure
1573 statements required by section 9-333j with the office of the Secretary of
1574 the State but is not required to file such statements in electronic form
1575 under subsection (a) of this section and [(2)] the campaign treasurer of
1576 any political committee or party committee [,] may file such statements
1577 in electronic form. [any financial disclosure statements required by
1578 said section 9-333j.] Such filings may be made by either transmitting
1579 disks, tapes or other electronic storage media containing the contents
1580 of such statements to the proper authority under section 9-333e or
1581 transmitting the statements on-line to such proper authority. Each such
1582 campaign treasurer shall use, for all such statements filed in electronic
1583 form, either (A) a software program created by the Secretary of the
1584 State under subdivision (1) of subsection (a) of this section, [for all such
1585 statements filed in electronic form on or after January 1, 1999,] or (B)
1586 another software program which provides for the standard reporting
1587 format, and complies with the specifications, which are prescribed by
1588 the secretary under subdivision (2) of subsection (a) of this section. [,
1589 for all such statements filed in electronic form on or after July 1, 1999.]
1590 The proper authority under section 9-333e shall accept any statement
1591 that uses any such software program.

1592 Sec. 36. Section 9-348gg of the general statutes is repealed and the
1593 following is substituted in lieu thereof:

1594 On and after January 1, [2000] 2002, the Secretary of the State shall
1595 make all computerized data from statements required by section 9-333j
1596 available to the public, not later than two business days after the
1597 statements are filed, through (1) computer terminals in the Office of
1598 the Secretary of the State and, if feasible, at remote access locations,
1599 and (2) the Internet or any other generally available on-line computer
1600 network.

1601 Sec. 37. (NEW) (a) (1) No candidate for the office of Governor or
1602 Lieutenant Governor shall solicit contributions, on behalf of a

1603 candidate committee established by a candidate for nomination or
1604 election to any public office or on behalf of any political committee or
1605 party committee, or accept contributions (A) from any individual who
1606 (i) is an officer, director, owner, limited or general partner or holder of
1607 stock constituting five per cent or more of the total outstanding stock
1608 of any class of a business which has a contract with the state valued at
1609 two hundred fifty thousand dollars or more, and (ii) has substantial
1610 policy or decision-making authority related to the administration of
1611 said contract, or (B) from a political committee established by such
1612 business.

1613 (2) No such individual from such business and no political
1614 committee established by such business shall make a contribution to
1615 any candidate committee established by a candidate for the office of
1616 Governor or Lieutenant Governor, during the term of such contract. If
1617 any such individual or political committee makes such a contribution,
1618 the business shall be prohibited from being awarded a state contract
1619 for one year after the election for which such contribution is made.

1620 (b) (1) No candidate for the office of Attorney General, State
1621 Comptroller or Secretary of the State shall solicit contributions, on
1622 behalf of a candidate committee established by a candidate for
1623 nomination or election to any public office or on behalf of any political
1624 committee or party committee, or accept contributions (A) from any
1625 individual who (i) is an officer, director, owner, limited or general
1626 partner or holder of stock constituting five per cent or more of the total
1627 outstanding stock of any class of a business which has a contract with
1628 such official's office valued at two hundred fifty thousand dollars or
1629 more, and (ii) has substantial policy or decision-making authority
1630 related to the administration of said contract, or (B) from a political
1631 committee established by such business.

1632 (2) No such individual from such business and no political
1633 committee established by such business shall make a contribution to
1634 any candidate committee established by a candidate for the office with

1635 which the business has a contract, during the term of such contract. If
1636 any such individual or political committee makes such a contribution,
1637 the business shall be prohibited from being awarded a contract from
1638 such office for one year after the election for which such contribution is
1639 made.

1640 (3) The provisions of this subsection shall also apply to the State
1641 Treasurer to the extent such provisions are not inconsistent with other
1642 statutory restrictions relating to the State Treasurer.

1643 (c) (1) No candidate for the office of state senator or state
1644 representative shall solicit contributions, on behalf of a candidate
1645 committee established by a candidate for nomination or election to any
1646 public office or on behalf of any political committee or party
1647 committee, or accept contributions (A) from any individual who (i) is
1648 an officer, director, owner, limited or general partner or holder of stock
1649 constituting five per cent or more of the total outstanding stock of any
1650 class of a business which has a contract with the General Assembly
1651 valued at two hundred fifty thousand dollars or more, and (ii) has
1652 substantial policy or decision-making authority related to the
1653 administration of said contract, or (B) from a political committee
1654 established by such business.

1655 (2) No such individual from such business and no political
1656 committee established by such business shall make a contribution to
1657 any candidate committee established by a candidate for the office of
1658 state senator or state representative, during the term of such contract.
1659 If any such individual or political committee makes such a
1660 contribution, the business shall be prohibited from being awarded a
1661 contract by the General Assembly for one year after the election for
1662 which such contribution is made.

1663 Sec. 38. (a) There is established a blue ribbon commission to study
1664 the party nominating process in Connecticut and make
1665 recommendations concerning such process in the context of the
1666 voluntary campaign expenditure limits program and Citizens' Election

1667 Program established in sections 1 to 4, inclusive, and 6 to 24, inclusive,
1668 of this act.

1669 (b) The commission shall consist of the following members:

1670 (1) Two appointed by the speaker of the House of Representatives;

1671 (2) Two appointed by the president pro tempore of the Senate;

1672 (3) Two appointed by the minority leader of the House of
1673 Representatives; and

1674 (4) Two appointed by the minority leader of the Senate.

1675 (c) Any member of the commission may be a member of the General
1676 Assembly.

1677 (d) All appointments to the commission shall be made no later than
1678 May 30, 2000. Any vacancy shall be filled by the appointing authority.

1679 (e) The speaker of the House of Representatives and the president
1680 pro tempore of the Senate shall select the chairpersons of the
1681 commission, from among the members of the commission. Such
1682 chairpersons shall schedule the first meeting of the commission, which
1683 shall be held no later than June 30, 2000.

1684 (f) The commission shall be in the office of the Secretary of the State
1685 for administrative purposes only.

1686 (g) Not later than January 1, 2001, the commission shall prepare a
1687 report on its findings and recommendations. The commission shall
1688 terminate on the date that it submits such report.

1689 Sec. 39. This act shall take effect from its passage, except that
1690 sections 1 to 34, inclusive, and section 37 shall take effect July 1, 2001,
1691 and sections 35 and 36 shall take effect January 1, 2002, and shall be
1692 applicable to elections held after said date, and sections 3 and 4 shall
1693 be applicable to taxable years commencing on or after January 1, 2001.

Statement of Purpose:

To provide for comprehensive campaign finance reform, including, for elections in 2006, and thereafter (1) grants from a Citizens' Election Fund to finance primary and general election campaigns of candidates for state-wide constitutional offices who raise qualifying contributions and agree to campaign spending limits, and (2) voluntary spending limits for general election campaigns of General Assembly candidates and financing from the Citizens' Election Fund for participating General Assembly candidates to match expenditures by nonparticipating candidates that exceed such voluntary spending limits.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]